

ED-1623

**SURFACE TRANSPORTATION BOARD
OFFICE OF ENVIRONMENTAL ANALYSIS**

SUPPLEMENTAL FINAL ENVIRONMENTAL ASSESSMENT

ENVIRONMENTAL RECOMMENDATIONS IN DOCKET NO. AB 6 468X

March 25, 2011

ABANDONMENT TYPE

The time for comments on the Environmental Assessment (EA) has expired in this:

() Notice of Exemption (X) Petition for Exemption () Regulated Abandonment

() **NO NEW COMMENTS WERE RECEIVED**

(X) **NEW COMMENTS WERE RECEIVED**

OEA served an Environmental Assessment (EA) for this proceeding on October 9, 2009, for public review and comment. In the EA, OEA recommended 4 environmental conditions and concluded that the proposed action would not significantly impact the quality of the human environment. On February 3, 2010, OEA recommended removal of Condition No. 1, Section 106 Condition, based on a letter dated November 9, 2009, from the Idaho Historical Society.

Of the remaining conditions, the new¹ condition No. 1 required BNSF Railway Company to consult with the USFWS and report the results of these consultations in writing to OEA. On January 4, 2011, OEA prepared and sent a letter to the USFWS that included all background information seeking its concurrence with OEA's determination that the abandonment, as proposed, would not result in any adverse effects to the federally listed threatened Bull trout (*Salvelinus confluentus*). In a letter dated March 3, 2011, the USFWS stated that it concurs with OEA's determination of effect that salvage, as proposed, would not result in any adverse effect on the federally listed threatened Bull trout.

Conclusions

Accordingly, OEA recommends that environmental condition No. 1, requiring BNSF Railway Company to consult with the USFWS, be removed.

1. Prior to commencement of any salvage activities, BNSF Railway Company shall consult with the U.S. Fish and Wildlife Service, Idaho Field Office (USFWS) to assess potential impacts to the Bull trout (*Salvelinus confluentus*), a Federally listed threatened species, and identify any appropriate mitigation measures that may be warranted. BNSF Railway Company shall report the results of the USFWS consultations to the Board's Section of Environmental Analysis in writing prior to the onset of salvage operations.
2. Prior to commencement of any salvage activities, BNSF Railway Company shall consult with the Idaho Department of Environmental Quality, Remediation Section to ensure that

¹ With the removal of the section 106 condition, consultation with the USFWS became condition No. 1.

any concerns regarding potential contamination of the right-of-way are addressed. BNSF Railway Company shall report the results of these consultations in writing to the Board's Section of Environmental Analysis prior to the onset of salvage operations.

3. BNSF Railway Company shall consult with the National Geodetic Survey at least 90 days prior to the beginning of salvage activities that will disturb or destroy any geodetic station markers.

If the above conditions are imposed, OEA believes that the proposed action will not significantly affect the quality of the human environment.

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